



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/384,692	08/27/1999	BRIAN MITCHELL BASS	RAL999-0080	8165

25299 7590 07/16/2003

IBM CORPORATION  
PO BOX 12195  
DEPT 9CCA, BLDG 002  
RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

DINH, KHANH Q

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 07/16/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

*Am*

**Office Action Summary**

Application No.

09/384,692

Applicant(s)

BASS ET AL.

Examiner

Khanh Dinh

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 April 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This is in response to the Amendment filed on 4/30/2003 (paper #12).

Claims 10-13 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Shobatake et al., US pat. No.5,557,609.

As to claim 10, Shobatake discloses a method comprising the steps of:

Storing in an instruction memory instructions for the handling of data transiting an interface device (see abstract, fig.1, col.3 line 56 to col.4 line 56).

Executing in a plurality of interface processors (102's fig.1) the instructions stored in the instruction memory and receiving a data flow through an input port (see col.4 line 57 to col.5 line 65).

Communicating the data flow from the plurality of interface processors (102's fig.1) and directing the data flow outbound through an output port (11024's) in accordance with the execution of the instructions by the interface processors (see also fig.2, col.5 line 66 to col.6 line 51 and col.7 line 15 to col.8 line 62)

As to claim 11, Shobatake discloses parsing the data flow<sup>show</sup> into a plurality of portions (frame data accommodation buffer), storing the selected portions of the

Art Unit: 2155

parsed data flow in data memory and directing other selected portions of the parsed data flow to a switching fabric for determination of an outbound direction (see fig.4, col.10 line 1 to col.11 line 47 and col.12 lines 16-64).

As to claim 12, Shobatake discloses recombining the stored and other selected portions of the data flow prior to direction of the data flow outbound through an output port (see fig.4, col.10 line 1 to col.11 line 47, col.12 lines 16-64 and col.25 line 6 to col.26 line 65).).

As to claim 13, Shobatake discloses parsing the data flow through the plurality of interface processor comprising parsing the data flow into portions and distributing the parsed portions and distributing the parsed portions among the plurality of interface processors for handling in parallel (see col.20 line 46 to col.21 line 51 and col.25 line 6 to col.26 line 65).

***Other prior art cited***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Cohen, US pat. No.5,841,777.
- b. Stone, US pat. No.5,598,410.
- c. Pickett et al., US pat. No.6,266,340.

Art Unit: 2155

***Conclusion***

4. Claims 10-13 are rejected.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (703) 308-8528. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain, can be reached on (703) 308-6662. The fax phone numbers for this group are:

After Final: (703) 746-7238

Official: (703) 746-7239


Non-Official/ Draft: (703) 746-7240

*A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U. S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305 -9600.

Art Unit: 2155

Khanh Dinh  
Patent Examiner  
Art Unit 215 5  
7/11/2003

  
HOSAIN T. ALAM  
PRIMARY EXAMINER